

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION

FRANK B. LEWIS,

Plaintiff

v.

HOME DEPOT, U.S.A.,

Defendant

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CIVIL ACTION NO. A:06-CV-058 LY

PLAINTIFF'S NONSUIT WITH PREJUDICE

Plaintiff, FRANK B. LEWIS, gives written notice of his nonsuit with prejudice

A. Introduction

1. Plaintiff is FRANK B. LEWIS; Defendant is HOME DEPOT, U.S.A.
2. Plaintiff sued Defendant for age discrimination. Defendant answered and disputed Plaintiff's claims. The parties have resolved the claims made the basis of this suit to their mutual satisfaction, and Plaintiff no longer wishes to pursue his claims against Defendant. Defendant does not oppose Plaintiff nonsuiting his claims with prejudice, with costs of court being borne by the party incurring same.

B. Prayer

3. Plaintiff asks this Court to enter a nonsuit with prejudice on all his claims against Defendant as set forth in Plaintiff's latest-filed Complaint, and sign an order acknowledging Plaintiff's nonsuit, with each side bearing the costs and expenses it incurred.

Respectfully submitted,



PAUL SCHORN
State Bar No. 17807070
103 E. San Antonio.
Lockhart, TX 78644
(512) 376-3200
FAX: (512) 376-3202

ATTORNEY FOR PLAINTIFF,
FRANK B. LEWIS

CERTIFICATE OF SERVICE

I certify that I served a copy of the foregoing document by FAX TRANSMISSION to the persons listed below on June 29, 2007:

Mr. Michael W. Fox
Ogletree Deakins Law Firm
301 Congress Ave., Ste. 1250
Austin, TX 78701

Fax: 344-4701



PAUL SCHORN

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COURT'S ACKNOWLEDGEMENT OF PLAINTIFF'S NONSUIT

ACKNOWLEDGES Plaintiff's Nonsuit; and

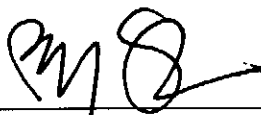
DISMISSES Plaintiff's suit against Defendant, HOME DEPOT, U.S.A., with prejudice,
with each party bearing its own costs.

SIGNED _____, 2007.

HON. LEE YEAKEL

United States District Judge

APPROVED & ENTRY REQUESTED:



PAUL SCHORN
State Bar No. 17807070
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